

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**
Richmond Division

IN RE:)	
)	
BRANDON ALEXANDER FLEMING)	Case No. 22-31753-KRH
)	Chapter 7
Debtor)	

MOTION TO VOLUNTARILY DISMISS CHAPTER 7 CASE

COMES NOW the Debtor, by counsel, and pursuant to 11 U.S.C. § 1307(b) and Bankruptcy Rules 1017 and 2002(f), state as follows:

1. The Debtor filed this Chapter 7 bankruptcy case on June 30, 2022.
2. The Debtor unexpectedly died on July 5, 2022, prior to attending his Section 341 Meeting of Creditors.
3. This case has not previously been converted under any provision of the U.S. Bankruptcy Code.
4. There appear to be no assets for the Chapter 7 Trustee to administer in this case.
5. No party is willing to act as the personal representative for the Debtor in connection with this case.

WHEREFORE, the Debtor, by counsel, hereby respectfully requests that the Court dismiss this Chapter 7 bankruptcy case.

James E. Kane (VSB# 30081)
KANE & PAPA, P.C.
P. O. Box 508
Richmond, Virginia 23218-0508
Telephone (804) 225-9500
Counsel for Debtor

Respectfully submitted,

BRANDON ALEXANDER FLEMING
By Counsel

/s/ James E. Kane
James E. Kane (VSB# 30081)
KANE & PAPA, P.C.
P. O. Box 508
Richmond, Virginia 23218-0508
Telephone (804) 225-9500
Counsel for Debtor

CERTIFICATE OF SERVICE

I hereby certify that on August 12, 2022, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all parties registered to receive notice thereof and to all creditors and parties in interest on the attached mailing matrix.

/s/ James E. Kane
Counsel for Debtor

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NOTICE OF MOTION AND HEARING

The above Debtor, by counsel, has filed papers with the Court to dismiss this Chapter 7 case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then within seven (7) days of the date of this Notice you or your attorney must:

- File with the court, at the address shown below, a written request for a hearing [or written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for a hearing (or response) to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above, to:

Clerk of Court
United States Bankruptcy Court
701 East Broad Street
Richmond, VA 23219

You must also mail a copy to:

James E. Kane, Esquire
KANE & PAPA, P.C.
1313 East Cary Street
Richmond, Virginia 23219

- Attend a hearing scheduled for **September 14, 2022 at 12:00 p.m. at 701 E. Broad Street, Room 5000, Richmond, VA 23219.** If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.

- **REMOTE HEARING INFORMATION:**

Due to the COVID-19 public health emergency, no in-person hearings are being held.

This hearing will take place remotely through Zoom on the date and time scheduled herein.

To appear at the hearing, you must send, by email, a completed request form (the “Zoom Request Form”), which is available on the Court’s internet website at www.vaeb.uscourts.gov, on the page titled, “Temporary Emergency Provisions Regarding ZoomGov Remote Proceeding Access Information.” Email your completed Zoom Request Form to the email address listed for the Judge assigned to the case. Following receipt of your Zoom Request Form, Court staff will respond to the email address from which the request was submitted with additional information on how to participate through Zoom.

***The email address shall be used only to submit Zoom Request Forms. No other matters or requests will be considered by Court staff, and under no circumstances will any such matters or requests be brought to the Judge’s attention. Failure to comply with these instructions may result in appropriate action, including but not limited to the imposition of sanctions.

*** PLEASE NOTE: **You MUST submit the Zoom Request Form no later than two (2) business days prior to this hearing. Any documentary evidence the parties wish to present at the hearing must be filed with the Court in advance of the hearing.**

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Dated: August 12, 2022

BRANDON ALEXANDER FLEMING
By Counsel

/s/ James E. Kane
James E. Kane (VSB# 30081)
KANE & PAPA, P.C.
P. O. Box 508
Richmond, Virginia 23218-0508
Telephone (804) 225-9500
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/s/ James E. Kane
Counsel for Debtor

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Po Box 7999
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Online Collections
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